

REMARKS

This is intended as a full and complete response to the Office Action dated September 24, 2004, having a shortened statutory period for response set to expire on December 24, 2004. Applicants have attached a Petition for a One Month Extension of Time, in accordance with 37 C.F.R. § 1.136, extending the statutory period until January 24, 2005. Applicants have added new claims 25 and 26, support for which can be found in at least paragraph 29 of the specification.

CLAIM REJECTIONS:

Claims 1-24 stand rejected under 35 U.S.C. § 112. The Office Action states that the phrase "non-grafting initiator" is not defined. As agreed upon in the interview, definitions for grafting and non-grafting initiators are provided in the specification in at least paragraph 23. Accordingly, Applicants respectfully request withdrawal of the rejection.

Claims 1, 3-4, 8-11 and 13-15 stand rejected under 35 U.S.C. § 102(b) as anticipated by, or in the alternative under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,125,695 (*Kamath*).

Applicants are submitting an additional reference (*Echte Article*) that describes high impact polystyrene morphology as discussed in the interview. Based on such discussion, Applicants submit that the pending claims are allowable over *Kamath*. In particular, *Kamath* does not teach, show or suggest the features recited in independent claim 1 or new claim 25, but rather teaches free radical initiation via temperature cycle polymerization to control molecular weight and not polymer morphology, as discussed. (See, present examples and examples of *Kamath*, specifically Example 16 where achieved high Mw polymer with increased grafting versus controlled grafting.) Accordingly, allowance of the claims is respectfully requested.

Claims 1,2-5, 8-11, 13-20 and 24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,861,827 (*Sosa*).

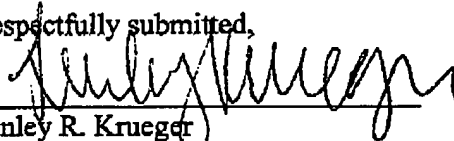
As discussed, *Sosa* lists a number of initiators that may be used for free radical initiation and nowhere teaches, shows or suggests instant claim 1 or 25.

Claims 2, 6-7, 12 and 21-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Sosa* in view of U.S. Patent No. 5,428,106 (*Schrader*.)

As discussed previously and in the interview, *Sosa* does not teach, show or suggest the instant claims. Therefore a discussion of the secondary reference is not deemed necessary.

The prior art made of record is noted. However, it is believed that the secondary references are no more pertinent to the Applicants' disclosure than the primary references cited in the Office Action. Therefore, it is believed that a detailed discussion of the secondary references is not deemed necessary for a full and complete response to this Office Action. Accordingly, allowance of the claims is respectfully requested.

Respectfully submitted,



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